

REMARKS

The Examiners, Messrs. Hayes and Borissov, are thanked for the courtesy extended applicants' attorney during the interview of March 21, 2006 during which time the non-applicability of the cited art to the claimed invention and the correction of informalities as pointed out in the office action of December 22, 2005 as well as other informalities, where discussed. As noted in the "Interview Summary" as a result of the discussion, it was "Agreed that all independent claims except claims 26 and 27 are allowable over the prior art of record. The amendment to correct informalities will be submitted". Thus, in accordance with the discussion at the interview and in accordance with the "Interview Summary", submitted herewith is an amendment wherein claims 26 and 27 have been canceled without prejudice or disclaimer of the subject matter thereof and the independent and dependent claims have been amended to clarify the features of the present invention to overcome the informalities noted with, for example, claim 8 being amended to clearly set forth the features by rewriting the claim to delete features as presented at the end of the claim and present such features at the beginning and middle of the claim, for example. Thus, applicants submit that all claims present in this application, patentably distinguish over the cited art and should now be in condition for allowance as indicated in the "Interview Summary".

As pointed out at the interview, and as recognized by the Examiners, the rejections based upon the combination of Yablonowski et al and Kitamura et al fail to provide the claimed features as set forth in the independent and dependent claims of this application. That is, in accordance with the present invention, referring to independent claim 2, for example, recites the features that the calculating means retrieves the past data having temperature and humidity data within a set allowable

range corresponding to the measured present data having the temperature and humidity data for the at least one of the production and utility facility, and calculates the energy curtailment quantities by comparing the retrieved past data having temperature and humidity data and the measured present data having the temperature and humidity data, which features are not disclosed by Yablonowski et al or Kitamura et al, taken alone or in any combination thereof. The other independent claims recite similar features, and applicants submit that, as recognized by the Examiner, all claims now present in this application, it being noted that claims 26 and 27 have been canceled without prejudice or disclaimer of the subject matter thereof, patentably distinguish over the cited art and should now be in condition for allowance.

In view of the above amendments and remarks and in light of the "Interview Summary", applicants submit that all claims present in this application should now be in condition for allowance and issuance of an action of a favorable nature is courteously solicited.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 389.40083X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

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